



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,697	01/12/2001	Robert H. Halstead, JR.	2682.2011-003	2648
22852	7590	11/19/2004	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			TANG, KUO LIANG J	
			ART UNIT	PAPER NUMBER
			2122	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/759,697	HALSTEAD, ET AL.	
	Examiner	Art Unit	
	Kuo-Liang J Tang	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 September 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/16/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The priority date for this application is 11/01/1999.

Claims 1-28 are pending and have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/16/2004 has been entered.

Response to Arguments

3. Applicant's arguments, see pages 2-8, filed 9/8/2004 with respect to Claims 1-28 have been fully considered and are persuasive. The rejection of Claims 1-28 has been withdrawn.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLennan in view of TKLib, further in view of Owens and further in view of Hostetter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLennan, Michael J., Object-oriented Programming with [incr Tcl] Building Mega-Widgets with [incr Tk]" (Art of Record (AV), hereinafter McLennan) in view of TK Library Procedures, "TK-configure Widget Manual Page" (art of record (AR2), hereinafter TKLib), further in view of Owens et al., US Patent No. US 6,047,284 (hereinafter Owens), and further in view of Hostetter et al., "Curl: A Gentle Slope Language for the Web," World Wide Web Journal, **Spring, 1997**, (art of record, hereinafter Hostetter.).

As Per Claim 1, McLennan discloses a method of processing data comprising:
"defining a class (E.g. see page 86, Figure 2-11 Fileview mega-widget and associated text) which supports an option data structure (E.g. see page 87, lines 24-30, "usual" option-handling code for scobars) having, in instances of the class, references to option values (E.g. see page 87, lines 25-26, options -background, -troughcolor) without preallocation of memory space for the full option values (E.g. see page 87, line 27, options -background, -troughcolor, -orient and –command ...), the option data structure including a type description of the option values;(E.g. see page 76, Figure 2-4 and page 86 – 87, Example 2-1 and associated text)". McLennan does not explicitly disclose without preallocation of memory for full option values.

However, Owens in an analogous art teaches “without preallocation of memory for full option values”. (E.g. see col. 3:1-17, which states “...allocating storage space for the object without storage space for an array element if the instantiation request does not specify an initial value for any of the data members of the array element ...”). Therefore, it would have been obvious to incorporate the teaching of Owens into the teaching of McLennan to include without preallocation of memory for full option values. The modification would have been obvious because one of ordinary skill in the art would have been motivated so that the allocation of storage for array elements may be deferred until necessary.

and

“during compilation, using the type description in the option data structure to process an operation on the option value.” (E.g. see page 76, Figure 2-4, page 79, Figure 2-6 and associated text).

The combination of McLennan and Owens does not explicitly disclose his teaching type description of the option values and during compilation, using the type description in the option data structure to process an operation on the option value. However, TKLib teaches “type description of the option values (E.g. see page 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of TKLib into the system of McLennan and Owens, to comprise a library (Tk_configureWidget). The modification would have been obvious because one of ordinary skill in the art would have been motivated to create a new type of mega-widget by simply drive a new [incr tcl] class from one of the existing [incr tk] base class.

The combination of McLennan, Owens and TKLib does not explicitly disclose compiler. However, Hostetter teaches in a manner such as “during compilation, using the type description in the option data structure to process an operation on the option value”. (for example, see Page 1, Lines 22-29, which states “... Curl expressions, class definitions and procedure definitions embedded in the web document are securely compiled to native code by the built-in on-the-fly compiler and then executed without the need for any sort of interpreter. Curl provides many of the features of a modern object-oriented programming language: multiple inheritance, extensible syntax, a strong type system that includes a dynamic "any" type, safe execution through encapsulation of user code and extensive checking performed both at compile and run time. ...” and see page 7, lines 11-12, “Lexically-scoped environment. Curl provides a structured name space whose bindings include variables, constants, types, and compilation hooks for arbitrary syntactic forms.”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hostetter into the system of McLennan, Owens and TKLib, to comprise a compiler. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use Curl modern object-oriented programming feature (object structure) to compile to native code and execute without the need for any sort of interpreter.

As Per Claim 2, the rejection of claim 1 is incorporated respectively and further McLennan discloses

- the option data structure identifies change handler code that is executed when an option value changes. (E.g. see page 81, Figure 2-8 and associated text, e.g. page 81, lines 1-3).

As Per Claim 3, the rejection of claim 2 is incorporated and further McLennan discloses

“change handler code for one option is defined in different classes within a class inheritance hierarchy and the change handler code from each class is executed when the option value changes.” (E.g. see page 81, Figure 2-8 and associated text, e.g. page 81, lines 4-13).

As Per Claim 4, the rejection of claim 1 is incorporated and further McLennan discloses

“the option data structure includes a default value (E.g. see page 83, lines 12-16), the method further comprising, in a get operation to an instance of the class, if an option value which applies to the instance has been set, getting the set option value and, if no value which applies has been set, getting the default value for the class.” (E.g. see page 79, lines 3-9).

As Per Claim 5, the rejection of claim 1 is incorporated and further McLennan does not explicitly disclose encoding option operation. However, Hostetter teaches “defining a first class with a first option data structure of a first form which supports, in instances of the class, references to option values without preallocation of

memory space for the full option values;” (E.g. see page 75, Figure 2-3 and associated text, e.g. Spinint class).

“defining a second class with a second option data structure of a second form which supports, in instances of the second class, references to option values without preallocation of memory space for the full option values, the second form being different from the first form;” (E.g. see page 75, Figure 2-3 and associated text, e.g. itk::Widget base class) and

“during compilation, encoding an option operation as a method call to an object of the first class and to an object of the second class without regard to the form of the option data structure supported by the class.” (E.g. see page 75, Figure 2-3 and page 76, Figure 2-4 and associated text).

As Per Claim 6, the rejection of claim 1 is incorporated and further McLennan discloses

“notifying objects of a change in an option value through a change handler identified by an option binding, the option binding being located by first searching a mapping data structure for a previously computed mapping to the option binding and, if no mapping was previously computed, by then computing the mapping to the option binding and storing the mapping in the mapping data structure.” (E.g. see page 81, Figure 2-8 and associated text, e.g. page 81, lines 1-3).

As Per Claim 7, the rejection of claim 1 is incorporated and further McLennan discloses

“the option data structure comprises a linked list of option items having option values.” (E.g. see page 79, Figure 2-6 itk_option and associated text).

As Per Claim 8, the rejection of claim 1 is incorporated and further the combination of McLennan and TKLib do not explicitly disclose a nonlocal option value applies to other objects in a nonlocal option hierarchy. However, Hostetter teaches a nonlocal option value applies to other objects in a nonlocal option hierarchy. (E.g. see Section3, Page 4, Lines 1-2). Color is a nonlocal option because all text in a given document is usually the same color. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hostetter into the system of McLennan and TKLib, to comprise a nonlocal option value applies to other objects in a nonlocal option hierarchy. The modification would have been obvious because one of ordinary skill in the art would have been motivated to implement properties in a dynamically bound environment using a deep binding mechanism.

As Per Claim 9, the rejection of claim 8 is incorporated and further further the combination of McLennan and TKLib do not explicitly disclose the nonlocal option hierarchy is a graphical hierarchy. However, Hostetter teaches “the nonlocal option hierarchy is a graphical hierarchy.” (E.g. see Section3, Page 4, Lines 1-2 and Section4.3, Page 9, Lines 34-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hostetter into the system of McLennan and TKLib, to comprise the nonlocal option hierarchy is a graphical hierarchy. The modification would have been obvious because one of ordinary skill in the

art would have been motivated to represent a graphic image as a hierarchical tree of Graphic objects (Leaves of the tree are primitive Graphic objects which know how to draw themselves, usually after looking up the values of various properties).

As Per Claim 10, the rejection of claim 1 is incorporated respectively and further McLennan discloses :

“the class which supports the option data structure includes defined fields to support values in preallocated memory space.” (Again, see as noted above of Claim 1).

As Per Claim 11, the rejection of claim 1 is incorporated and further the combination of McLennan and TKLib discloses :

“the type description is used to check the declared type of a value to be set in a set operation.” (E.g. see TKLib, page 4, line 14 to page 6, line 31).

As Per Claim 12, the rejection of claim 1 is incorporated and further the combination of McLennan and TKLib discloses :

“the type description is used to check the legality of an operation to be performed on a value obtained in a get operation.” (E.g. see TKLib, page 4, line 14 to page 6, line 31).

Claim 13 is the system claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1.

As Per Claims 14-16, the rejection of claim 13 are incorporated and are rejected under the same reason set forth in connection of the rejection of claim 2-4.

As Per Claim 17, the rejection of claim 13 is incorporated and further McLennan does not explicitly disclose plural classes having data structures of different forms. However, Hostetter teaches plural classes having data structures of different forms, and a compiler which encodes an option operation as a method call to an instance object of one of the classes without regard to the form of the option data structure supported by the class. (see Page 4, Figure 2, item hbox and item vbox;) and (see Page 4, Figure 2, item

hbox and item vbox; and Page 3, Line 20-24, "Since the values for color and quantity are Dynamic objects, the last line of the display changes automatically as the user manipulates the color and quantity controls. A Dynamic object incorporates a simple mechanism for propagating changes in its value to other dynamic objects that depend on first object's value. More sophisticated propagation rules could be supplied by the user by creating a new class of objects derived from Dynamic objects that have a different "propagate" method."), and (see Page 9, Lines 20-22, "Hboxes and vboxes. These are one-dimensional formatters that create simple horizontal or vertical arrangements of their children, lining up their baselines or margins. As in TeX, the relative allocation of white space is controlled by the elasticity of any glue objects that have been added as children."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hostetter into the system of McLennan , to comprise plural classes having data structures of different forms. The

modification would have been obvious because one of ordinary skill in the art would have been motivated to display changes automatically as the user manipulates the color and quantity controls.

As Per Claim 18, the rejection of claim 13 is incorporated respectively and further McLennan discloses :

“change handlers which notify objects of a change in an option value and a mapping data structure which maps an option name and class to an option binding which identifies a change handler.” (E.g. see page 81, Figure 2-8 and associated text, e.g. page 81, lines 1-3).

As Per Claims 19-25, the rejection of claim 13 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 7-13.

Per Claim 26 is the computer-readable medium claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1.

As Per Claim 27, the rejection of claim 26 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 19.

Claim 28 is the computer data signal claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is (571) 272-3705. The examiner can normally be reached on 8:30AM - 7:00PM (Monday – Thursday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kuo-Liang J. Tang

Software Engineer Patent Examiner

W.Y. Zhen
WEI Y. ZHEN
PRIMARY EXAMINER